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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/885,681	06/20/2001	Roger Kahn	4033/2A	6364

29858 7590 09/18/2007

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EXAMINER	
LU, KUEN S	

ART UNIT	PAPER NUMBER
2167	

MAIL DATE	DELIVERY MODE
09/18/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

MN

Office Action Summary	Application No.	Applicant(s)	
	09/885,681	KAHN ET AL.	
	Examiner	Art Unit	
	Kuen S. Lu	2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *Applicant's Amendment of 7/13/2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1.1. This action is responsive to Applicant's Amendment filed July 13, 2007. Acknowledged is amendments made to specification, abstract and claims, Examiner's objections to specification and abstract, and rejections to claim 12 under the second paragraph of 35 U.S.C. § 112 and to claims 1-27 under the second paragraph of 35 U.S.C. § 101 are hereby withdrawn.

1.2. Please note claims 1-27 in the application are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1-27 have been fully considered but are moot in view of the new grounds of rejections.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. §102 that form the basis for the rejections under this section made in this Office action:

3.1. A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.2. Claims 1, 9-10 and 2-4 are rejected under 35 U.S.C. 102(e) as anticipated by Dutta (U.S. Patent 6,606,604, issued 8/12/2003).

As per claim 1, Dutta teaches "A system for content management that automatically determines when a content page contains out of date content items as a result of changes made to the content items in a data source, the system comprising" (See Abstract, Fig. 3 and col. 3, line 53 – col. 4, line 14 where an electronic order web page contains item/price data which is updated on item by item and timely basis from retailer server):

"a template engine for executing templates to generate a content page" (See Fig. 3 and col. 3, lines 53-66 where a retailer's web page for electronic order is formed), and

"the template engine operative to generate a content page comprising content items" (See Fig. 3 and col. 3, line 53 – col. 4, line 14 where a retailer's web page for electronic order is formed to include item/price data: item, price and valid);

"selectively retrieved from a data source and arranged on the content page as defined by the template" (See Fig. 3, col. 3, line 53 – col. 4, line 3, col. 4, lines 4-14 and col. 5, lines 45-57 where a dynamic web page at a user's cache on which price for each item is selectively retrieved from a retailer server and updated on item by item basis on the order web page template);

"each content item in the data source being associated with time stamp information to indicate the last time the content item was modified" (See Fig. 3, col. 3, line 53 – col. 4, line 3, col. 4, lines 4-14 and col. 5, lines 45-57 where a dynamic web page at a user's cache on which price for each item is selectively retrieved from a retailer server and updated on item by item basis on the order web page template and the price data for each item is associated with time, including the price is "valid through" or "update after");

"a dependency record for storing information regarding a relationship between content items that comprise the content page and the content items stored in the data source and time parameter information associated with the content items that comprise the content page" (See Fig. 3, col. 4, lines 4-14 and col. 5, lines 5-15 and 45-57 where a dynamic web page at a user's cache on which price for each item is retrieved from a retailer server and a dependency record related item, item description, price and date information is established and stored at the retail server); and

"dependency checking software for comparing information contained in the dependency record with time stamp information contained in the data source for each content item that comprises the content page" (See Fig. 2, col. 3, lines 14-24 and col. 5, lines 45-57 where a client software compares content on cached page and the content at the server and the e-commerce server determines the validity of item content on client cache with stored information and transmits updated nfromation the client),

"determining through the comparison those content pages that contain content items that have been modified in the data source" (See Fig. 2, col. 3, lines 14-24 and col. 5, lines 45-57 where a client software compares content on cached page and the content at the server and the e-commerce server determines the validity of item content on client cache with stored information and transmits updated nfromation the client) and

"instructing the template engine to re-generate a content page that contains modified content items" (See Fig. 2, col. 3, lines 14-24 and col. 5, lines 45-57 where a client software compares content on cached page and the content at the server and the e-

commerce server determines the validity of item content on client cache with stored information and transmits updated nfromation the client).

As per claim 15, Dutta teaches "A method for determining when a content page contains out of date content items as a result of changes made to a template or content items stored in a data source, the method comprising" (See Abstract, Fig. 3 and col. 3, line 53 – col. 4, line 14 where an electronic order web page contains item/price data which is determined and updated on item by item and timely basis from retailer server): "generating a template to define the content items to be included in the content page and the arrangement of the content items on the content page" (See Fig. 3 and col. 3, line 53 – col. 4, line 14 where a retailer's web page for electronic order is formed with item/price data is arranged item by item);

"executing the template with a template engine to generate the content page as defined by the template" (See Fig. 3 and col. 3, line 53 – col. 4, line 14 where a retailer's web page for electronic order is formed based on web source pages with item/price data is arranged item by item);

"generating one or more dependency records to capture a relationship between the content items that comprise the content page, the template used to generate the content page, and the content items stored in the data source" (See Abstract, Fig. 3 and col. 3, line 53 – col. 4, line 14 where an electronic order web page contains item/price data which is determined and updated on item by item and timely basis from retailer server); and

"comparing data contained in the dependency records with data contained in the data source to determine if the content page is out of date" (See Fig. 3, col. 3, line 53 – col. 4, line 3, col. 4, lines 4-14 and col. 5, lines 45-57 where a dynamic web page at a user's cache on which price for each item is selectively retrieved from a retailer server and updated on item by item basis on the order web page template and the price data for each item is associated with time, including the price is "valid through" or "update after").

As per claim 24, Dutta teaches "A method for generating one or more dependency records that can be used to determine when content items that comprise a content page have been modified, the method comprising" (See Abstract, Fig. 3 and col. 3, line 53 – col. 4, line 14 where an electronic order web page contains item/price data whose content is determined and selected to be updated on item by item and timely basis from retailer server):

"generating a template to define the content items to be included in the content page and the arrangement of the content items on the content page, the content page comprising content items stored in a data source" (See Fig. 3 and col. 3, line 53 – col. 4, line 14 where a retailer's web page for electronic order is formed with item/price data is arranged item by item);

"executing the template with a template engine to generate the content page as defined by the template" (See Fig. 3 and col. 3, line 53 – col. 4, line 14 where a retailer's web page for electronic order is formed based on web source pages with item/price data is arranged item by item); and

"generating one or more dependency records to capture a relationship between the content items that comprise the content page, the template used to generate the content page, and the content items stored in the data source" (See Abstract, Fig. 3 and col. 3, line 53 – col. 4, line 14 where an electronic order web page contains item/price data which is determined and updated on item by item and timely basis from retailer server).

As per claim 25, Dutta teaches "A method for determining when a content page contains content items that are out of date, the content page generated by instructions contained in a template that identifies content items stored in a data source for inclusion in the content page, the method comprising" (See Abstract, Fig. 3 and col. 3, line 53 – col. 4, line 14 where an electronic order web page contains item/price data whose content is determined and selected to be updated on item by item and timely basis from retailer server):

"storing one or more dependency records to capture a relationship between content items that comprise the content page, the template used to generate the content page, and the content items stored in the data source" (See Fig. 3, col. 4, lines 4-14 and col. 5, lines 5-15 and 45-57 where a dynamic web page at a user's cache on which price for each item is retrieved from a retailer server and a dependency record related item, item description, price and date information is established and stored at the retail server);

"comparing the time-stamp contained in the dependency records with time-stamp contained in the data source to determine if the content page is out of date" (See Fig. 3,

col. 3, line 53 – col. 4, line 3, col. 4, lines 4-14 and col. 5, lines 45-57 where a dynamic web page at a user's cache on which price for each item is selectively retrieved from a retailer server and updated on item by item basis on the order web page template and the price data for each item is associated with time, including the price is "valid through" or "update after"); and

"regenerating the content page where the comparison step determines that the content page contains modified content items" (See Abstract, Fig. 3 and col. 3, line 53 – col. 4, line 14 where an electronic order web page contains item/price data which is determined and updated on item by item and timely basis from retailer server).

As per claim 2, Dutta further teaches "a plurality of dependency records are used to store the relationship between the content items that comprises the content page and the content items stored in the data source" (See Abstract, Fig. 3 and col. 3, line 53 – col. 4, line 14 where an electronic order web page contains item/price data storing relationship between item, price and valid information).

As per claims 3 and 21, Dutta teaches "the content page generated by the template engine comprises markup code" (See col. 3, line 53 – col. 4, line 14 where the electronic order form and web pages are of HTML format).

As per claims 4 and 22, Dutta teaches "the markup code is HTML" (See col. 3, line 53 – col. 4, line 14 where the electronic order form and web pages are of HTML format).

As per claims 5 and 23, Dutta suggests teaching of "the markup code is XML" (See col. 3, line 53 – col. 4, line 14 where the electronic order form and web pages are of HTML format).

As per claims 6 and 16, Dutta further teaches "the dependency record contains parameters comprising name/value pairs of the information that are passed to the template engine to generate the content page" (See Abstract, Fig. 3 and col. 3, line 53 – col. 4, line 14 where an electronic order web page contains item/price data which is determined and updated on item by item and timely basis from retailer server).

As per claims 7 and 17, Dutta further teaches "the dependency record comprises the address within the data source of the content items that comprise the content page" (See Abstract, Fig. 3 and col. 3, line 53 – col. 4, line 14 where an electronic order web page contains item/price data which is determined and updated on item by item and timely basis from retailer server).

As per claims 8 and 18, Dutta further teaches "the dependency record comprises queries executed by the template engine to retrieve content items from the data source" (See Fig. 2 and col. 3, lines 5-24 where customer retrieve web pages in according to a known art).

As per claims 9 and 19, Dutta further teaches "the dependency record comprises sub-template scripts used by the template engine to generate a content page" (See Fig. 3 and col. 3, line 53 – col. 4, line14 where executable scripts required to utilize HTML are cached).

As per claim 10, Dutta further teaches "the dependency record comprises the time the content page was generated" (See Abstract, Fig. 3 and col. 3, line 53 – col. 4, line 14 where an electronic order web page contains item/price data storing relationship between item, price and valid information in which valid through or update after is the time the price is updated and becomes effective).

As per claim 11, Dutta further teaches "the dependency record comprises the date the content page was generated" (See Fig. 2 and col. 3, lines 5-24 where the date of a web page retrieval page is employed).

As per claim 12, Dutta further teaches "content management software to manage content items and operative to issue instructions to the dependency checking software to regenerate a content page upon modification of a managed content item" (See Fig. 2 and col. 3, lines 25-34 where determination is made to retrieve an entire web page).

As per claim 13, Dutta further teaches "the content management software operative to issue instructions to the dependency checking software to re-generate a content

page upon modification of a template" (See Fig. 2 and col. 3, lines 25-34 where determination is made to retrieve an entire web page).

As per claim 14, Dutta further teaches "one or more dependency records to store information regarding the relationship between a template and the content items that comprise the content page" (See Abstract, Fig. 3 and col. 3, line 53 – col. 4, line 14 where an electronic order web page contains item/price data which is determined and updated on item by item and timely basis from retailer server).

As per claim 20, Dutta further teaches "publishing the content page generated by the template engine to a disk" (See col. 8, lines 11-25 where disk drive is employed for storage and transmission).

As per claim 26 Dutta further teaches "the dependency checking software provides for comparison of time parameter information associated with a respective content item that comprises the content page and time stamp information associated with a respective content item in the data source" (See col. 5, lines 35-43 where out of date price and associated item information is identified).

As per claim 27, Dutta further teaches "the time parameter information comprises a template execution time or a file publication time" (See Fig. 2 and col. 3, lines 5-24 where the date of a web page retrieval page is employed).

Conclusions

4.1. The prior art made of record

G. U.S. Patent 6,606,604

4.2. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

A. U.S. Patent 6,247,032

B. U.S. Patent 6,012,087

F. U.S. Patent 6,366,933

H. U.S. Patent 6,732,142

C. U.S. Patent 6,560,639

D. U.S. Patent 6,615,235

E. U.S. Patent 6,484,149

Contact information

5. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Kuen S. Lu whose telephone number is (571)-272-4114. The examiner can normally be reached on Monday-Friday (8:00 am-5:00 pm).
If attempts to reach the examiner by telephone pre unsuccessful, the examiner's Supervisor, John Cottingham can be reached on (571)-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for Page 13

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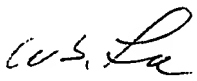
Kuen S. Lu, 

Patent Examiner, Art Unit 2167

September 16, 2007